

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Criminal No. 11-205 (JRT/LIB)

Plaintiff,

v.

**ORDER ON REPORT AND  
RECOMMENDATION**

JUSTIN JAMES RODRIGUEZ,

Defendant.

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Kimberly Hare, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for the plaintiff.

Caroline Durham, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for defendant.

This matter is before the undersigned on the Report and Recommendation of the United States Magistrate Judge Leo I. Brisbois dated October 6, 2011 [Docket No. 34]. No objections have been filed to that report and recommendation in the time period permitted.

Based on the report and recommendation of the Magistrate Judge, and being advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. That Defendant's Motion to Suppress Statements, Admissions and Answers Made by the Defendant [Docket No. 25] be **DENIED**; and

2. That the Defendant's Motion to Suppress Evidence Obtained as a Result of Search & Seizure [Docket No. 26] be **DENIED**.

DATED: October 24, 2011  
at Minneapolis, Minnesota.

s/ John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge